

**FINDINGS FROM THE PUBLIC HEARINGS
BEFORE THE ZONING BOARD OF APPEALS
September 17, 2012**

Variance – Floor Area Ratio

2 Tricia Lane

WHEREAS, the Zoning Board of Appeals ("ZBA") for the Village of Barrington Hills, Illinois (the "Village") held a public hearing on September 17, 2012 to hear the Petition for a variance from the "Floor Area Ratio" requirements of Section 5-5-10-3 of the Village Zoning Ordinance ("Zoning Code"), for the property located at 2 Tricia Lane, Barrington Hills, Illinois 60010 (the "Subject Property"), submitted by Amarish Patel and Trupti Patel, his wife, of 2 Tricia Lane, Barrington Hills, Illinois (the "Petitioner"), owner of the Subject Property;

WHEREAS, the Subject Property is legally described on Exhibit A attached hereto and made a part hereof;

WHEREAS, the Subject Property is zoned R-1 which requires a Maximum Floor Area Ratio of .05, pursuant to Sections 5-5-10-1 and 5-5-10-3 of the Zoning Code;

WHEREAS, the Subject Property is 206,434 square feet and is a "lot of record" in an R-1 Zoning District;

WHEREAS, the Petitioner constructed a single-family residence on the Subject Property in 20____, at which time a barn and other accessory buildings were located on the Subject Property;

WHEREAS, the Petitioner was advised that upon completion of the residence, due to its size, the barn and other accessory buildings would need to be demolished as the aggregate floor area of such buildings would exceed the floor area ratio;

WHEREAS, the Petitioner has completed the construction of their residence and has refused to demolish the barn in violation of Section 5-5-10-3 of the Zoning Code;

WHEREAS, Section 5-10-4 of the Zoning Code allows for up to 10% variation of the floor area requirements and the Petitioner has filed a petition for a variance in order to retain the barn;

WHEREAS, to grant a variation from the floor area ratio requirements of Section 5-5-10-3, the ZBA must find: (1) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district for which it is zoned; (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality. See, Section 5-10-4(C) of the Village Zoning Code.

NOW THEREFORE, the ZBA makes the following findings and determinations regarding the Petition:

1. Mr. Kurt Anderson, ZBA Member, made a motion to approve the request of the Petitioner for a variation from the floor area ratio requirements of Section 5-5-10-3 of the Zoning Code to permit the barn to remain and to allow a 10% variance to the applicable floor area ratio. Mr. George Mullen, ZBA Member seconded the motion.
2. The ZBA members discussed the Petition and the criteria for granting a variation.
3. Mr. Anderson's motion was denied on a vote of four (4) ayes and three (3) nays, five (5) votes being required to grant a variation pursuant to Section 5-10-4 of the Village Code.
4. A variation of the required floor area ratio for the Subject Property was denied.

Dated this ____ day of September, 2012

Judith Freeman, Chairman

EXHIBIT A

LEGAL DESCRIPTION

LOT 6 IN FLORAL ACRES SUBDIVISION, A SUBDIVISION OF THE SOUTH 171.00 FEET OF THE EAST 990.00 FEET OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 21, AND THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 01-21-300-012-0000

Commonly known as 2 Tricia Lane, Barrington Hills, IL. 60010